

MINUTES
UTAH
ALARM SECURITY LICENSING BOARD
MEETING

January 5, 2012

Room 474 – 4th Floor – 9:00 a.m.
Heber Wells Building
Salt Lake City, UT 84111

CONVENED: 9:00 a.m.

ADJOURNED: 11:45 a.m.

Bureau Manager:

Clyde Ormond

Board Secretary:

Kristy Haueter

Board Members Present:

Scott Sessions, Chairperson
Harold Weight
William La Rochelle
Larry Gillett

Board Members Absent:

Justin Gray

DOPL Staff Present:

Debra Troxel, Compliance

Guests:

Rajan Kanda, AAA Protection
Glade Thompson, Steam Action Alarm Co.
Aaron Heiner, Stone Security
Gregory Higley, Pinnacle Security
Nathan Leifson, Vivint
Derek Werner, Mountain Alarm
TJ Ogilvie, Vantage Voltage, Inc
Steve Cressall, Steam Action Alarm Co.
Nathan Wilcox, Vivint
Polly Foote (Telephone), Checkpoint Security
Eric Prisbrey (Telephone)

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Approval of the November 3, 2011, Board Meeting Minutes

Mr. Weight seconded by Mr. La Rochelle made a motion to approved the November 3, 2011 Board Meeting Minutes as written. The motion carried unanimously.

APPOINTMENTS:

9:00 Compliance, Debra Troxel

Ms. Troxel reviewed the compliance status of a new probationer Mr. Rajan Kanda. This is Mr. Kanda's first probation meeting with the Board.

Mr. Kanda has met prior to the Board Meeting with Ms Troxel to review and sign his Memorandum of Understanding (MOU).

9:05 Rajan Kanda
First Probation Interview

Mr. Kanda appeared before the Board for his scheduled appointment. Mr. Ormond conducted the interview.

Mr. Ormond gave a brief synopsis of Mr. Kanda's probationary terms. Mr. Kanda has one 2009 charge from the State of Nevada. Mr. Kanda is currently working at AAA Protection approximately 20 hours a week as an alarm salesman.

The Board wants to see Mr. Kanda at the Board Meeting on May 3, 2012.

9:15 Steam Action Alarm Company LLC
QA: Glade Thompson

Mr. Thompson with Steam Action Alarm Company LLC appeared before the Board for his scheduled appointment.

Mr. Thompson applied to be the Qualifying Agent for Steam Action Alarm Company LLC but was also an existing Qualifying Agent for Certified Alarm Services LLC.

Mr. Ormond reviewed the application with the Board.

Mr. Thompson assured the board that there would be no conflict of interest between the two companies and that Steam Action Alarm Company LLC are only bidding for private residences and not bidding to businesses. Mr. Thompson stated that Steam Action Alarm Company LLC would be a sales company and Certified Alarm Services LLC is an installation company. Mr. Thompson indicated that they are two different markets.

The Board expressed concern of one Qualifying

Agent for too many companies and if Mr. Thompson would be spread too thin.

After discussion it was determined that there was not a conflict of interest between Steam Action Alarm Company LLC, and Certified Alarm Services LLC with Mr. Thompson being Qualifying Agent for both companies. As long as Steam Action Alarm Company LLC was not doing any installations and as long as Certified Alarm Services LLC is not doing any sales.

Mr. La Rochelle seconded by Mr. Weight made a motion to approve Mr. Thompson as the Qualifying Agent with Steam Action Alarm Company LLC as the licensed Burglar Alarm Company pending fingerprint return. The motion carried unanimously.

9:25 Stone Security LLC
QA: Aaron Heiner

Mr. Heiner with Stone Security LLC appeared before the Board for his scheduled appointment.

Mr. Heiner applied to be the Qualifying Agent for Stone Security LLC but was also an existing Qualifying Agent for Nationwide Alarm Security LLC.

Mr. Ormond reviewed the application with the Board. Mr. Heiner stated all installs will be done by Stone Security LLC. The Board made known Mr. Heiner must be a W-2 employee with Stone Security LLC.

Mr. Heiner assured the board that there would be no conflict of interest between the two companies and also indicated that they are two different markets and two different geographies.

After discussion it was determined that there was not a conflict of interest between Stone Security LLC and Nationwide Alarm Security LLC and Mr. Heiner being Qualifying Agent for both companies.

Mr. Weight seconded by Mr. Gillett made a motion to approve Mr. Heiner as the Qualifying Agent with Stone Security LLC as the licensed Burglar Alarm Company pending fingerprint return.. One member opposed. The motion Carried.

9:35 Ariane Logan, Application Review

Ms. Logan did not appear before the Board for her scheduled appointment. Ms. Logan applied for licensure as a Burglar Alarm Company Agent.

Mr. Ormond reviewed the application with the Board. Ms. Logan has one 2011 charge.

The Board tabled the application for the next Board Meeting in March 1, 2012. All voted in favor.

9:45 Jason Watson, Application Review

Mr. Watson did not appear before the Board for his scheduled appointment. Mr. Watson applied for licensure as a Burglar Alarm Company Agent. This is the second non appearance to a Board Meeting for Mr. Watson.

Mr. Ormond reviewed the application with the Board. Mr. Watson has a few criminal charges the most recent of which was in 2010.

Mr. Weight seconded by Mr. Gillett made a motion to deny Mr. Watson for licensure as a Burglar Alarm Company Agent. The motion carried unanimously.

9:55 Gregory Higley, Application Review

Mr. Higley appeared before the Board for his scheduled appointment. Mr. Higley applied for licensure as a Burglar Alarm Company Agent. This license was denied on November 1, 2011. License was then remanded to the Board for review.

Mr. Ormond reviewed the application with the Board. Mr. Higley has a few charges the most recent charge is in 2006.

Mr. Higley stated his last charge has been almost 6 years since the last charge. He stated he is very sorry for the event that occurred, and he was in a dark place back then. Mr. Higley feels he has learned from his past mistakes. Mr. Higley in the past 6 years he has been working in other states being an alarm salesman. He plans to begin employment with Pinnacle Alarm.

Mr. Gillett seconded by Mr. Weight made a motion to approve Mr. Higley for licensure as a Burglar Alarm Company Agent. The motion carried unanimously.

10:05 Eric Prisbrey, Application Review

Mr. Prisbrey appeared before the Board for his scheduled appointment per telephone interview. Mr. Prisbrey applied for licensure as a Burglar Alarm Company Agent.

Mr. Ormond reviewed the application with the Board. Mr. Prisbrey has one charge in 2010.

Mr. Prisbrey stated he has completed Prime for Life and is attending counseling through his church. He has worked out of state as an alarm sales agent. Mr. Prisbrey wondered if he worked out of state how he would go about contacting the testing agency. After contacting Compliance it was determined the vender has testing agencies all over the United States and it is a matter of contacting Compliance to resolve the testing location.

Mr. Gillett seconded by Mr. La Rochelle made a motion to deny Mr. Prisbrey for licensure as a Burglar Alarm Company Agent. After a brief discussion the motion then died.

Mr. Gillett seconded by Mr. La Rochelle made a motion to approve Mr. Prisbrey for a probationary license as a Burglar Alarm Company Agent for two years to include random drug testing. The motion carried unanimously.

10:15 Paolo Santizo, Application Review

Ms. Santizo did not appear before the Board for her scheduled appointment. Ms. Santizo applied for licensure as a Burglar Alarm Company Agent. This is the second non appearance to a Board Meeting for Ms. Santizo.

Mr. Ormond reviewed the application with the Board. Ms. Santizo has a few charges the most recent charge is in 2011.

Mr. Gillett seconded by Mr. La Rochelle made a motion to deny Ms. Santizo for licensure as a Burglar Alarm Company Agent. The motion carried unanimously.

10:25 Nathan Leifson, Application Review

Mr. Leifson appeared before the Board for his scheduled appointment. Mr. Leifson applied for licensure as a Burglar Alarm Company Agent. This

license was denied on October 14, 2011. License was then remanded for the Board to review.

Mr. Ormond reviewed the application with the Board. Mr. Leifson has a few charges the most recent charge is in 2009.

Mr. Leifson gave a brief explanation his charges and life style choices. He stated he has made changes in his life and has been without drugs or alcohol for approximately 3 years.

Mr. Gillett seconded by Mr. Weight made a motion to approve Mr. Leifson for licensure as a Burglar Alarm Company Agent. The motion carried unanimously.

10:45 John Langston, Application Review

Mr. Langston did not appear before the Board for his scheduled appointment. Mr. Langston applied for licensure as a Burglar Alarm Company Agent.

Mr. Ormond reviewed the application with the Board. Mr. Langston has a few charges the most recent charge is in 2007.

The Board tabled the application for the next Board Meeting in March 1, 2012. All voted in favor.

11:00 Derek Werner, Application Review

Mr. Werner appeared before the Board for his scheduled appointment. Mr. Werner applied for licensure as a Burglar Alarm Company Agent.

Mr. Ormond reviewed the application with the Board. Mr. Werner has one charge in 2007 that was just closed in 2011. Mr. Werner stated he works for Mountain West Security LLC, Mr. Sessions then recused himself due to conflict of interest.

Mr. Weight seconded by Mr. La Rochelle made a motion to approve Mr. Werner for licensure as a Burglar Alarm Company Agent. The motion carried unanimously.

11:15 Robert Langston, Application Review

Mr. Langston did not appear before the Board for his scheduled appointment. Mr. Langston applied for licensure as a Burglar Alarm Company Agent.

Mr. Ormond reviewed the application with the

11:25 Checkpoint Systems Inc,
Application Review

Board. Mr. Langston has a few charges the most recent charge is in 2007.

The Board tabled the application for the next Board Meeting in March 1, 2012. All voted in favor.

Ms. Polly Foote, a spokes woman for Checkpoint Systems Inc, appeared for her scheduled appointment per telephone interview.

Mr. Ormond reviewed the information provided and the how it relates to replacing the Qualifying Agent with in the 60 day time frame as required by Utah Code Annotated 58-55-304(6). The following is a brief timeline of events:

March 15, 2011 a letter was received from Ms. Polly Foote at Checkpoint Systems dated for March 7, 2011 notifying the Division that their Qualifying Agent Mr. Jerome P Frederick had resigned effective April 27, 2011.

March 21, 2011 a letter was written by the Division to Checkpoint Systems requesting them to replace the Qualifying Agent or a Surrender of License with in 60 days.

Due to a rule change a second letter dated August 31, 2011 was written to Checkpoint Systems requesting them to replace the Qualifying Agent or a Surrender of License with in 60 days.

October 17, 2011 Notice of Agency Action to revoke License for Failure to Replace Qualifying Agent was signed.

October 18, 2011 an application was received to Replace the Qualifying Agent for Checkpoint Systems with Mr. David Hardeman as the proposed Qualifying Agent. October 19, 2011 a 30 day incomplete application letter was written to Checkpoint Systems and to the proposed Qualifying Agent Mr. Hardeman for multiple missing items.

November 21, 2011 A Finding of Facts Conclusions of Law and Order was prepared and signed by Mr. Clyde Ormond of the Division.

November 30, 2011 the issue was remanded back to the Division for Referral to the Board.

The Board stated that the time frame has been more than generous to Checkpoint Systems Inc to replace their Qualifying Agent.

Mr. Weight seconded by Mr. Gillett made a motion to go forth with the agency action to revoke Checkpoint Systems Inc. license. The motion passed unanimously.

DISCUSSION ITEMS

Legislation:

Mr. Nathan Wilcox has a concern of the Board to make a definition clarification to the rule to what information agents can have access to.

Mr. Thompson requested there to be a clarification to what the Qualifying Agent is responsible for.

Mr. Ormond would like to take a look at the rule and as a Board decide what changes to take place.

The Board approved that date to be February 13, 2012 at 10:00 a.m. to define licensing requirements by virtue to access information, age restriction of 18 years of age for agents, the Board would like a Attorney General to be present, all pending Qualifier questions and issues, and W-2 employee vs. 1099 or statutory non employee.

Investigative Report:

Mr. Ormond reviewed the investigative report with the Board which included a comparison of cases for the years 2010 and 2011.

The 2011 Investigative Report included 54 received cases, 49 assigned cases, 1 administrative sanction, 10 administrative sanction memorandums, 2 administrative sanction stipulations, 4 citations issued, 2 consolidated to another case, 1 dismissed, 1 intelligence filed, 8 lack of evidence, 7 no jurisdiction, 6 unfounded, 44 closed cases, 13 investigator assigned cases, and 1 case assigned to the Attorney General's office.

Order on Merritt:

Mr. Ormond brought to the Boards attention that

the following Burglar Alarm Company licenses
have been revoked by the Division:
National Alarm Company LLC, Safe Haven
Security Services Inc, KGO Inc, 5 Diamond Home
Protection LLC, and SLVPA Salt Lake Valley
Protection Corp.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

Date Approved	Scott R Sessions Chairperson, Alarm Security Licensing Board
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Date Approved	Clyde Ormond Bureau Manager, Division of Occupational & Professional Licensing
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Awaiting Formal Approval